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|--|--|------------------------------------|--|--|--|--|--|
| <b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>  |  |                                    |  | 1. Contract ID Code<br>Firm-Fixed-Price  |  | Page 1 Of 3  |  |
| 2. Amendment/Modification No.<br><br>P00001  |  | 3. Effective Date<br><br>2004JUN17 |  | 4. Requisition/Purchase Req No.<br><br>SEE SCHEDULE  |  | 5. Project No. (If applicable)   |  |
| 6. Issued By<br>TACOM WARREN BLDG 231<br>AMSTA-AQ-AHPA<br>SHEILA NEIDELMAN (586)574-6966<br>WARREN, MICHIGAN 48397-5000<br>HTTP://CONTRACTING.TACOM.ARMY.MIL<br>EMAIL: NEIDELMS@TACOM.ARMY.MIL   |  | Code<br>W56HZV                     |  | 7. Administered By (If other than Item 6)<br>DCMA SANTA ANA<br>34 CIVIC CENTER PLAZA<br>ROOM 813A<br>SANTA ANA CA 92701-4056<br><br>SCD A PAS NONE ADP PT HQ0339 |  | Code<br>S0513A   |  |
| 8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)<br><br>SIERRA ASSEMBLY TECHNOLOGY, INC<br>4145 INDUS WAY<br>RIVERSIDE, CA. 92503-4848<br><br>TYPE BUSINESS: Other Small Business Performing in U.S.  |  |                                    |  | <input type="checkbox"/>   |  | 9A. Amendment Of Solicitation No.                                      |  |
|  |  |                                    |  | <input type="checkbox"/>   |  | 9B. Dated (See Item 11)  |  |
|  |  |                                    |  | <input checked="" type="checkbox"/>  |  | 10A. Modification Of Contract/Order No.<br>DAAE07-03-D-N077            |  |
|  |  |                                    |  | <input type="checkbox"/>   |  | 10B. Dated (See Item 13)<br>2003JUL28                                  |  |
| Code 1YEY2   |  | Facility Code                      |  |  |  |  |  |
| <b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>   |  |                                    |  |  |  |  |  |
| <input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers<br><input type="checkbox"/> is extended, <input type="checkbox"/> is not extended.<br>Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods:<br>(a) By completing items 8 and 15, and returning _____ copies of the amendments: (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. <b>FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.</b> If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified. |  |                                    |  |  |  |  |  |
| 12. Accounting And Appropriation Data (If required)<br>NO CHANGE TO OBLIGATION DATA  |  |                                    |  |  |  |  |  |
| <b>13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS</b>   |  |                                    |  |  |  |  |  |
| KIND MOD CODE: 2 It Modifies The Contract/Order No. As Described In Item 14.   |  |                                    |  |  |  |  |  |
| <input type="checkbox"/> A. This Change Order is Issued Pursuant To: The Changes Set Forth In Item 14 Are Made In The Contract/Order No. In Item 10A.  |  |                                    |  |  |  |  |  |
| <input type="checkbox"/> B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).   |  |                                    |  |  |  |  |  |
| <input type="checkbox"/> C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:  |  |                                    |  |  |  |  |  |
| <input checked="" type="checkbox"/> D. Other (Specify type of modification and authority) Termination for Default with No Definitization Required  |  |                                    |  |  |  |  |  |
| E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the Issuing Office.   |  |                                    |  |  |  |  |  |
| 14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)<br><br>SEE SECOND PAGE FOR DESCRIPTION   |  |                                    |  |  |  |  |  |
| Contract Expiration Date: 2008MAY30  |  |                                    |  |  |  |  |  |
| Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.   |  |                                    |  |  |  |  |  |
| 15A. Name And Title Of Signer (Type or print)  |  |                                    |  | 16A. Name And Title Of Contracting Officer (Type or print)<br>RONALD KRAUS<br>KRAUSR@TACOM.ARMY.MIL (586)574-7158  |  |  |  |
| 15B. Contractor/Offeror<br><br>(Signature of person authorized to sign)  |  | 15C. Date Signed                   |  | 16B. United States Of America<br><br>By _____ /SIGNED/<br>(Signature of Contracting Officer)   |  | 16C. Date Signed<br><br>2004JUN17                                      |  |
| NSN 7540-01-152-8070<br>PREVIOUS EDITIONS UNUSABLE   |  |                                    |  | 30-105-02  |  | STANDARD FORM 30 (REV. 10-83)<br>Prescribed by GSA FAR (48 CFR) 53.243 |  |

|   |   |                           |
|---|---|---------------------------|
| <b>CONTINUATION SHEET</b>   | <b>Reference No. of Document Being Continued</b><br><b>PIIN/SIIN</b> DAAE07-03-D-N077 <b>MOD/AMD</b> P00001 | <b>Page</b> 2 <b>of</b> 3 |
| <b>Name of Offeror or Contractor:</b> SIERRA ASSEMBLY TECHNOLOGY, INC |   |                           |

SECTION A - SUPPLEMENTAL INFORMATION

NOUN: CIRCUIT CARD ASSEMBLY

NSN: 5998-01-073-0162

- Contract DAAE07-03-D-N077 entered into by and between the UNITED STATES OF AMERICA (hereinafter called the "Government"), represented by the Contracting Officer executing this document, and Sierra Assembly Technology, Inc. (hereinafter called the "Contractor"), dated July 28, 2003, is hereby Terminated for Default.
- Such Termination for Default, in accordance with Clause I-53, FAR 52.249-8, entitled DEFAULT--FIXED PRICE SUPPLY AND SERVICE, of the basic contract, will be effective immediately upon receipt of this notice of termination.
- Such acts or omissions include the failure to deliver on the established delivery dates for CLIN's 0011AA (Production Quantity) and 0016AA (FAT).
- The above failure constitutes breach of the Contract and is proper cause for Default. The right of the Contractor to proceed further with performance of the Contract is terminated.
- This Notice of Termination constitutes a decision pursuant to the "Disputes" clause of this Contract that the Contractor is in Default, as hereby specified, and that the failure enumerated is not due to causes beyond the control of the Contractor, but are within the fault or negligence of the Contractor. As such, the Contracting Officer finds and determines as a final decision, that the Contractor's failure to perform is not excusable.
- This is the final decision of the Contracting Officer. This decision may be appealed to the Armed Services Board of Contract Appeals (ASBCA).
- If you decide to make such an appeal, you must mail or otherwise furnish written notice thereof to the ASBCA within ninety (90) days from the date you received this decision. A copy thereof shall be furnished to the Contracting Officer from whose decision the appeal is taken. The notice shall indicate that an appeal is intended, shall reference this decision and identify the Contract by number.
- If any dispute resulting from this decision, hereinabove set forth, involves an amount which is \$10,000.00 or less, there is available, at the sole election of the Contractor, a Small Claim (Expedited) Procedure under Rule 12 of the ASBCA. In order to invoke such a procedure, the Contractor must request that the appeal be processed under Rule 12.
- If any dispute resulting from this decision, hereinabove set forth, involves an amount not in excess of \$50,000.00, there is also available, at the sole election of the Contractor, an Optional Accelerated Procedure of the Board (Rule 12). In order to invoke such a procedure, the Contractor must request that the appeal be processed under Rule 12.
- Instead of appealing to the ASBCA, you may bring an action directly in the U.S. Court of Federal Claims (except as provided in the Contract Disputes Act of 1978, 41 USC 603 regarding Maritime Contracts), within twelve (12) months of the date you receive this decision.
- As a result of this Modification P00001, Government Contract DAAE07-03-D-N077 has been Terminated for Default. See Delivery Order 0001, Modification 01, against this Contract for the actual dollar amount decrease.

\*\*\* END OF NARRATIVE A 001 \*\*\*

Name of Offeror or Contractor: SIERRA ASSEMBLY TECHNOLOGY, INC

| ITEM NO | SUPPLIES/SERVICES                                 | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---------|---|----------|------|------------|--------|
|         | SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS |          |      |            |        |
|         | (Deleted narrative A001)                          |          |      |            |        |
| 0011    | <u>DELETED</u>                                    |          |      |            |        |
|         | (Deleted narrative A002)                          |          |      |            |        |
| 0012    | <u>DELETED</u>                                    |          |      |            |        |
| 0013    | <u>DELETED</u>                                    |          |      |            |        |
| 0014    | <u>DELETED</u>                                    |          |      |            |        |
| 0015    | <u>DELETED</u>                                    |          |      |            |        |
| 0016    | <u>DELETED</u>                                    |          |      |            |        |